

**Bing GUAN; Go NAKAMURA; Mark
ABRAMSON; Kitra CAHANA; and Ariana
DREHSLER,**

Plaintiffs,

v.

Chad WOLF, Acting Secretary of Homeland Security; Mark MORGAN, Acting Commissioner, U.S. Customs and Border Protection; and Matthew ALBENCE, Acting Director, U.S. Immigration and Customs Enforcement,

Defendants.

No. 19-CV-6570 (PKC/JO)

(Hon. Pamela K. Chen)

NOTICE OF MOTION TO WITHDRAW AS ATTORNEY OF RECORD

PLEASE TAKE NOTICE that, pursuant to Local Civil Rule 1.4, F. Franklin Amanat, Senior Counsel at the United States Attorney’s Office for the Eastern District of New York, respectfully moves to withdraw as counsel in the above-captioned case for Defendants Chad Wolf, Acting Secretary of Homeland Security, *et al.* (collectively, “the Government”). Ekta R. Dharia, Assistant United States Attorney, Eastern District of New York, has served as co-counsel in this case since its inception and will continue as lead counsel for the Government in this action. In support of this application, the Movant submits the annexed Declaration of F. Franklin Amanat Pursuant to LCR 1.4. A copy of this Motion has been served on all government client agencies and, through the ECF system, on counsel for Plaintiffs.

Dated: Brooklyn, New York
July 17, 2020

SETH D. DUCHARME
Acting United States Attorney
Eastern District of New York

By: /s/ {SUBMITTED ELECTRONICALLY}
F. FRANKLIN AMANAT
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**DECLARATION OF F. FRANKLIN AMANAT
PURSUANT TO LOCAL CIVIL RULE 1.4**

F. FRANKLIN AMANAT respectfully declares under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am Senior Counsel in the Office of the United States Attorney for the Eastern District of New York. I have served in this capacity since November 2012. Previously, I served as an Assistant United States Attorney and then Supervisory Assistant United States Attorney in this District, beginning in December 1997.

2. I have served as lead counsel for the Defendants in this matter since April 24, 2018. The procedural posture of this case is as follows: The Government has served its motion to dismiss the complaint; Plaintiffs served their brief in opposition today; and the Government's reply brief is due August 14.

3. I am moving to withdraw as counsel for the Defendants in this case because I am leaving the United States Attorney's Office after 22½ years to pursue opportunities in the private

sector. Today is my last day at the Office, with my formal separation from government service to take place on July 31.

4. My departure from government service provides a satisfactory reason for, and indeed necessitates, my withdrawal as an attorney in this case. My colleague Ekta R. Dharia, Assistant United States Attorney, Eastern District of New York, Eastern District of New York, has served as co-counsel in this case since before it was assigned to me and will continue as lead counsel for the Government in this action. Ms. Dharia will capably represent the interests of the Government in this case henceforward.

5. As this is a government case, there is no retaining or charging lien involved.

Dated: Brooklyn, New York
July 17, 2020

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